

## Agricultural Marketing Service, USDA

## § 926.1

(4) Once a vote is taken, any documents utilized during the meeting will be forwarded immediately to the Secretary's representative and a summary of the Committee's action and reasons for recommending approval or disapproval will be prepared and also forwarded by the committee; and

(5) The Secretary's representative shall notify the Committee manager of approval or disapproval of the request prior to commencement of the suspended packing holiday and the Committee manager shall notify handlers and producers accordingly.

(f) Certain maturity, container, and pack requirements cited in this regulation are specified in the Title 3: California Code of Regulations and are incorporated by reference. Copies of such requirements are available from Ronald L. Cioffi, Chief, Marketing Order Administration Branch, F&V, AMS, USDA, Washington, DC 20090-6456, telephone (202) 720-2491. They are also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). This incorporation by reference was approved by the Director of the Federal Register. These materials are incorporated as they existed on the date of the approval and a notice of any change in these materials will be published in the FEDERAL REGISTER.

(g) The Federal or Federal-State Inspection Service, F&V, AMS, USDA, is the governmental inspection service for certifying the grade, size, quality, and maturity of table grapes grown in the production area. The inspection and certification services will be available upon application in accordance with the rules and regulations governing inspections and certification of fresh fruits, vegetables, and other products (7 CFR part 51); except that all persons who request such inspection and certification must provide adequate facilities in which the inspections may be conducted and also provide the necessary equipment and incidental supplies that are considered as standard requirements for providing

fresh inspection under Federal or Federal-State inspection procedures.

[51 FR 12501, Apr. 11, 1986, as amended at 51 FR 13209, Apr. 18, 1986; 51 FR 16285, May 2, 1986; 52 FR 20383, June 1, 1987; 52 FR 24444, July 1, 1987; 53 FR 22128, June 14, 1988; 58 FR 21536, Apr. 22, 1993; 59 FR 67619, Dec. 30, 1994; 61 FR 11129, Mar. 19, 1996; 61 FR 14013, Mar. 29, 1996; 63 FR 658, Jan. 7, 1998; 63 FR 28480, May 26, 1998; 67 FR 14873, Mar. 28, 2002; 68 FR 19711, Apr. 22, 2003; 69 FR 18801, Apr. 9, 2004]

EDITORIAL NOTE: After January 1, 1979 "Budget of Expenses and Rate of Assessment" regulations (e.g. sections .200 through .299) and "Handling" regulations (e.g. sections .300 through .399) which are in effect for a year or less, will not be carried in the Code of Federal Regulations. For FEDERAL REGISTER citations affecting these regulations, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

### PART 926—DATA COLLECTION, REPORTING AND RECORDKEEPING REQUIREMENTS APPLICABLE TO CRANBERRIES NOT SUBJECT TO THE CRANBERRY MARKETING ORDER

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AUTHORITY: 7 U.S.C. 601-674.

SOURCE: 70 FR 1999, Jan. 12, 2005, unless otherwise noted.

#### § 926.1 Secretary.

*Secretary* means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who

## **§ 926.2**

is, or who may hereafter be authorized to act in her/his stead.

### **§ 926.2 Act.**

*Act* means Public Act No. 10, 73d Congress [May 12, 1933], as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601 *et seq.*).

### **§ 926.3 Person.**

*Person* means an individual, partnership, corporation, association, or any other business unit.

### **§ 926.4 Cranberries.**

*Cranberries* means all varieties of the fruit *Vaccinium Macrocarpon* and *Vaccinium oxycoccus*, known as cranberries.

### **§ 926.5 Fiscal period.**

*Fiscal period* is synonymous with fiscal year and crop year and means the 12-month period beginning September 1 and ending August 31 of the following year.

### **§ 926.6 Committee.**

*Committee* means the Cranberry Marketing Committee, which is hereby authorized by USDA to collect information on sales, acquisitions, and inventories of cranberries and cranberry products under this part. The Committee is established pursuant to the Federal cranberry marketing order regulating the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York (7 CFR part 929).

### **§ 926.7 Producer.**

*Producer* is synonymous with grower and means any person who produces cranberries for market and has a proprietary interest therein.

### **§ 926.8 Handler.**

*Handler* means any person who handles cranberries and is not subject to the reporting requirements of Part 929.

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### **§ 926.9 Handle.**

*Handle* means to can, freeze, dehydrate, acquire, sell, consign, deliver, or transport (except as a common or contract carrier of cranberries owned by another person) fresh or processed cranberries produced within or outside the United States or in any other way to place fresh or processed cranberries into the current of commerce within or outside the United States. This term includes all initial and subsequent handling of cranberries or processed cranberries up to, but not including, the retail level.

### **§ 926.10 Acquire.**

*Acquire* means to obtain cranberries by any means whatsoever for the purpose of handling cranberries.

### **§ 926.11 Processed cranberries or cranberry products.**

*Processed cranberries or cranberry products* means cranberries which have been converted from fresh cranberries into canned, frozen, or dehydrated cranberries or other cranberry products by any commercial process.

### **§ 926.12 Producer-handler.**

*Producer-handler* means any person who is a producer of cranberries for market and handles such cranberries.

### **§ 926.13 Processor.**

*Processor* means any person who receives or acquires fresh or frozen cranberries or cranberries in the form of concentrate from handlers, producer-handlers, importers, brokers or other processors and uses such cranberries or concentrate, with or without other ingredients, in the production of a product for market.

### **§ 926.14 Broker.**

*Broker* means any person who acts as an agent of the buyer or seller and negotiates the sale or purchase of cranberries or cranberry products.

### **§ 926.15 Importer.**

*Importer* means any person who causes cranberries or cranberry products produced outside the United States to be brought into the United States with the intent of entering the